

1 *All parties and counsel listed on Signature Page.*

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8 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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10 TAKEDA PHARMACEUTICAL CO., LTD.,
11 TAKEDA PHARMACEUTICALS U.S.A.,
INC., AND TAKEDA PHARMACEUTICALS
AMERICA, INC.,

12 Plaintiffs,

13 v.

14 IMPAX LABORATORIES, INC.,

15 Defendant.
16

Case No. 5:13-CV-2416 LHK (PSG)

**STIPULATION OF DISMISSAL
WITHOUT PREJUDICE AND
[PROPOSED] ORDER**

17 WHEREAS Plaintiffs Takeda Pharmaceutical Co., Ltd., Takeda Pharmaceuticals U.S.A.,
18 Inc., and Takeda Pharmaceuticals America, Inc. (collectively, "Takeda"), and Defendant Impax
19 Laboratories, Inc., have agreed to terms and conditions for a settlement of this action and have set
20 forth those terms and conditions in a settlement agreement;

21 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the
22 parties, through their undersigned counsel of record:

- 23 1. This action hereby is voluntarily dismissed in its entirety without prejudice
24 pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii);
25 2. This Court retains jurisdiction to enforce the settlement agreement; and
26 3. Each party shall bear its own attorneys' fees and costs.
27

28 DATED: December 1, 2014

TAKEDA PHARMACEUTICAL CO., LTD.,
TAKEDA PHARMACEUTICALS U.S.A., INC.,

CASE NO. 5:13-CV-2416 LHK (PSG)

STIPULATION OF DISMISSAL AND [PROPOSED] ORDER

1 AND TAKEDA PHARMACEUTICALS
2 AMERICA, INC.

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1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2 DATED: _____, 2014

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4 THE HONORABLE LUCY H. KOH
United States District Judge

Filer's Attestation

I, Heather Takahashi, am the ECF user whose identification and password are being used to file this STIPULATION OF DISMISSAL WITHOUT PREJUDICE AND [PROPOSED] ORDER. In compliance with Civil Local Rule 5-1(i), I hereby attest that the above-named signatories concur in this filing.

DATED: December 1, 2014

/s/ Heather E. Takahashi

Heather E. Takahashi